

Update and Review of Key Compliance Issues

ABA Telephone Briefing

Presented by ABA Center for Regulatory Compliance

Thursday,
January 15,
2009

2:00 p.m. – 4:00 p.m.
(Eastern Time)

1:00 p.m. – 3:00 p.m.
(Central Time)

12:00 p.m. – 2:00 p.m.
(Mountain Time)

11:00 a.m. – 1:00 p.m.
(Pacific Time)



DISCLAIMER

This telephone briefing/Webcast will be recorded with permission and is furnished for informational use only. Neither the speakers, contributors nor ABA is engaged in rendering legal nor other expert professional services, for which outside competent professionals should be sought. All statements and opinions contained herein are the sole opinion of the speakers and subject to change without notice. Receipt of this information constitutes your acceptance of these terms and conditions.

USE OF PIN OR PASSWORD

Each site license entitles registrant to one phone connection (and one Internet connection for simultaneous Webcast when applicable) at one location where an unlimited number of listeners can participate.

Providing PIN or password to another for their use, using PIN or password more than once, or any simultaneous or delayed transmission, broadcast, re-transmission or re-broadcast of this event to additional sites/rooms by any means (including but not limited to the use of telephone conferencing services or a conference bridge, whether external or owned by the registrant) or recording is a violation of U.S. copyright law and is strictly prohibited.

**Please call 1-800-BANKERS if you have any questions
about this resource or ABA membership.**

Table of Contents

TABLE OF CONTENTS.....	II
ABA STAFF LISTING.....	III
SPEAKER BIOGRAPHIES	IV-V
PROGRAM OUTLINE.....	VI-VII
CONTINUING EDUCATION CREDITS INFORMATION.....	VIII
CPE SIGN IN/OUT FORM.....	IX
CPE CERTIFICATE OF ATTENDANCE REQUEST FORM	X
PROGRAM INFORMATION.....	ATTACHED
EVALUATION FORM.....	ENCLOSED
CD ORDER FORM	ENCLOSED
PLEASE READ ALL ENCLOSED MATERIAL PRIOR TO BRIEFING.	

American Bankers Association
Update and Review of Key Compliance Issues
Telephone Briefing
Thursday, January 15, 2009 ♦ 2:00 – 4:00 p.m. ET

Speaker and ABA Staff Listing

MODERATOR

Richard Riese
Sr. Vice President, Center for Regulatory Compliance
(202) 663-5051
rriese@aba.com

SPEAKERS

Financial Institution Policy and Regulatory Affairs –
Center for Regulatory Compliance

- **Nessa Feddis**
Vice President & Senior Counsel
(202) 663-5433
nfeddis@aba.com
- **Robert Rowe**
Vice President and Senior Counsel
(202) 663-5029
rrowe@aba.com
- **Stephen Kenneally**
Vice President
(202) 663-5147
skenneally@aba.com
- **Cristeena Naser, CCTS**
Senior Counsel
(202) 663-5332
cnaser@aba.com
- **Virginia O'Neill**
Senior Counsel
(202) 663-5073
goneill@aba.com

Office of Mortgage Finance, Risk Management and
Public Policy

- **Rod Alba**
Vice President & Senior Regulatory Counsel
(202) 663-5592
ralba@aba.com

TELEPHONE BRIEFING PRODUCTION

Joseph V. Mach, Jr.
Vice President, Information Services
(202) 663-5487
jmach@aba.com

Cari Hearn
Project Manager
(202) 663-5393
chearn@aba.com

Linda M. Shepard
Project Manager
(202) 663-5499
lshepard@aba.com

American Bankers Association
1120 Connecticut Avenue, NW
Washington, DC 20036
1 800-BANKERS
http://www.aba.com/teleweb/tb_calendar

Speaker Biographies

Richard Riese (*moderator*)

Richard R. Riese is the Senior Vice President of the Center for Regulatory Compliance at the American Bankers Association. Prior to joining the ABA staff in June 2004 as Senior Compliance Counsel, Rich served for five years as Director of Compliance Policy in the Office of Thrift Supervision with responsibility for consumer protection, Community Reinvestment Act and BSA/AML regulatory policy and for establishing agency compliance examination procedures and training protocols.

In 2003, Rich was Chairman of the FFIEC's Consumer Compliance Task Force.

During his OTS career, Rich also served as an Assistant Chief Counsel for Enforcement and a Special Assistant to the Director of OTS. Before his tenure at OTS, he practiced law in Pittsburgh, Pennsylvania with Thorp, Reed & Armstrong for thirteen years. Rich has a B.A. from the University of Delaware and a J.D. and an M.A. in public policy analysis from the University of Pennsylvania. He is admitted to the Pennsylvania, Maryland and District of Columbia Bars.

Rod Alba

Rod Alba serves as the Vice President and Senior Counsel in the Office of Mortgage Finance, Risk Management and Public Policy at the American Bankers Association. He is responsible for mortgage banking matters focusing on related legal and regulatory issues and government relations management.

Prior to joining ABA, Mr. Alba was a legal counsel and legislative consultant in the financial services industry in his area of expertise – mortgage finance issues. He was Legislative Counsel to the Mortgage Bankers Association, advising and assisting on the coordination of the industry's state and federal legislative efforts. And, he also served as MBA's Senior Director of Government Affairs as lead counsel on advocacy activities, providing advice on all legal and regulatory issues. Rod chaired MBA's Regulatory Compliance and Legal Issues Committees.

Mr. Alba's other experiences include, Special Projects Counsel to National Council of La Raza, the largest Latino civil rights organization, Vice President for Federal and Regulatory Affairs with ACC Capital Holdings, in Washington, DC and Senior Attorney with the Department of Housing and Urban Development, in the Office of General Counsel, GSE/RESPA Division.

Rod received his Juris Doctor from Syracuse University College of Law in 1993 and his B.A. in Economics in 1990 from the University of Maryland. He spent 1993-94 as a Congressional Fellow.

Nessa Feddis

Nessa Feddis is Vice President and senior counsel to the ABA's Financial Institution Policy and Regulatory Affairs Group. She focuses on consumer banking, fraud, and payment system issues both in the federal legislative and regulatory arenas. Her responsibilities include relaying ABA's position on such issues to Congress and government agencies and educating bankers on new laws and regulations. In recent years, she has been involved with regulatory and legislative matters relating to consumer credit, credit and debit cards, privacy, deposit accounts, payments systems, including ATMs and accessibility, emerging electronic payment systems, and credit card and check fraud.

She received her law degree from Catholic University and is a member of the Washington, DC Bar. She is also a fellow of the American College of Consumer Financial Services Lawyers. Her articles discussing regulatory and legislative developments in consumer banking matters have appeared in ABA Banking Journal and ABA Bank Compliance magazine.

**American Bankers Association
Update and Review of Key Compliance Issues
Telephone Briefing
Thursday, January 15, 2009 ♦ 2:00 – 4:00 p.m. ET**

Stephen Kenneally

Steve Kenneally is a Vice President in the Center for Regulatory Compliance Section of the American Bankers Association's Financial Institutions Policy and Regulatory Affairs Division. His areas of responsibility include electronic payments systems, identity theft, data security and credit bureau activities. He manages a member committee focused on improving the payments system by making it more efficient and secure and serves as liaison to the debt collection industry.

Steve joined the ABA through the merger with America's Community Bankers where he served for two years as Vice President in the Government Relations Division working on similar issues. Prior to joining the banking association, he worked at the Financial Management Service (FMS) bureau within the U.S. Department of Treasury in two separate roles, overseeing the banks contracted to collect federal government revenue on behalf of agencies and developing cash management policies and regulations. Before joining FMS, he worked for a trade association representing state government finance officials in Washington, DC.

Steve earned a B.S. in Finance from Boston College and received an MBA from the George Washington University.

Cristeena Naser, CCTS

Cris Naser is Senior Counsel in the Center for Securities, Trust and Investment group of ABA's Government Relations Division. She is responsible for ABA's regulatory efforts on corporate trust activities, municipal securities and other securities issues, medallion signature guarantee programs, new activities under the Gramm-Leach-Bliley Act, deposit insurance regulations, HIPAA and affirmative action and other employment issues.

In addition, to these responsibilities, Cris is the primary author of ABA's monthly compliance newsletter, the *Regulatory and Legislative Advisory*. As such, she follows closely the myriad of regulatory, legislative and judicial developments of interest to bank compliance officers.

Prior to joining the ABA, Cris was Senior Attorney at the Federal Deposit Insurance Corporation.

Virginia O'Neil

Virginia O'Neill serves as Senior Counsel for the American Bankers Association's Center for Regulatory Compliance. In this capacity, Ms. O'Neill works to provide ABA members with federal banking law expertise, up-to-date reports on legislative and regulatory initiatives, and compliance resources.

Ms. O'Neill earned her J.D. from Georgetown University Law Center and a B.A. in economics from Duke University. Prior to joining the ABA, Ms. O'Neill practiced law in Indianapolis, Indiana and Washington, D.C. and served as the Compliance and BSA Officer of a Washington, D.C. de novo bank.

Rob Rowe

Rob joined the American Bankers Association in October 2008 and represents the association's members on Bank Secrecy Act/Anti-Money Laundering compliance, Community Reinvestment Act and fair lending and privacy. Rob serves as the ABA representative to Treasury's Bank Secrecy Act Advisory Group and in 2005 was awarded the Financial Crimes Enforcement Network Director's Medal for Exceptional Service for representing the banking industry's efforts to combat money laundering and terrorist financing.

Before joining ABA, Rob represented community banks on a variety of issues, including consumer compliance, BSA/AML, security, and privacy for another association. In the early 1990s, he spent nearly four years with ABA designing products, seminars and services to help banks meet their regulatory compliance needs. He also has over ten years of experience as a banker, working on a wide variety of issues from personal trust to commercial lending.

Rob has an A.B., summa cum laude, Phi Beta Kappa, from Bowdoin College in Brunswick, Maine. He holds a Juris Doctor, cum laude, from Boston University and a Master of Laws from Georgetown University. Rob is a member of the bars of Pennsylvania, Massachusetts, and the District of Columbia.

Program Outline

TIMES	SESSION & SPEAKERS
1:45 – 2:00 p.m.	<u><i>Pre-Seminar Countdown</i></u>
2:00 – 2:03 p.m.	<u><i>Introduction</i></u> <ul style="list-style-type: none"> ▪ Overview of Program ▪ Welcome ▪ Introduction of Moderator <p>KRM Information Services, Inc.</p>
2:03 – 2:08 p.m.	<u><i>Welcome and Speaker Introductions</i></u> <p>Richard Riese <i>Senior Vice President, Center for Regulatory Compliance</i></p>
2:08 – 2:28 p.m.	<u><i>Changes on the Mortgage Front</i></u> <ul style="list-style-type: none"> • Regulation Z Mortgage Regulation Implementation • Coordination with HMDA Changes • RESPA • Flood Q&A <p>Rod Alba and Virginia O’Neill</p>
2:28 – 2:45 p.m.	<u><i>Consumer Credit: UDAP and FACTA</i></u> <ul style="list-style-type: none"> • Credit Card Rules • Overdraft Protection Practices • ID Theft Red Flag Exams & Address Discrepancy Practices • What remains outstanding in FACTA <p>Nessa Feddis</p>
2:45 – 2:55 p.m.	<u><i>CRA and Fair Lending</i></u> <ul style="list-style-type: none"> • Monitoring modifications • Lending market changes and CRA performance • SCRA <p>Robert Rowe</p>

Program Outline

TIMES	SESSION & SPEAKERS
2:55 – 3:05 p.m.	<u>Questions</u>
3:05 – 3:15 p.m.	<u>UIGEA and IAT</u> Steve Kenneally
3:15 – 3:25 p.m.	<u>BSA/AML and OFAC</u> <ul style="list-style-type: none"> • CTR Exemptions • Implications for IAT Robert Rowe and Virginia O’Neill
3:25 – 3:35 p.m.	<u>FDIC Insurance</u> <ul style="list-style-type: none"> • Permanent Rulings • Temporary programs Cristeena Nasser
3:35 – 3:45 p.m.	<u>Miscellaneous</u> <ul style="list-style-type: none"> • Debt Collection issues • ADA and ATMs Virginia O’Neill
3:45 – 3:55	<u>Audience Questions and Roundtable Discussion of Managing During Recovery</u> All Panelists
3:55 – 4:00 p.m.	<u>Wrap-up and Questions</u> Richard Riese <i>American Bankers Association</i>

CONTINUING EDUCATION CREDITS INFORMATION



Institute of Certified Bankers

The Institute of Certified Bankers™ (ICB) is dedicated to promoting the highest standards of performance and ethics within the financial services industry.

The ABA Telephone Briefing, “Update and Review of Key Compliance Issues” has been reviewed and approved for 2.5 continuing education credits towards the CRCM designation.

To claim these credits, ICB members should visit the Member Services page on the ICB Website, <http://www.icbmembers.org/login.aspx>. Please use your member ID and password to access your personal information. If you have any difficulty accessing the Website or you need your member ID, please contact ICB at ICB@aba.com or 202-663-5092.



The American Bankers Association is registered with the National Association of State Boards of Accountancy (NASBA), as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue, Suite 700, Nashville, TN 37219-2417. Web site: www.nasba.org.

2.0 CPE Credit will be awarded for attending this program.

Participants eligible to receive Continuing Professional Education (CPE) credits for attending this telephone briefing should report any CPE credits earned using the form included in this Participant’s kit.

Continuing Legal Education Credits

This ABA Telephone Briefing is not pre-approved for continuing legal education (CLE) credits. However, it may be possible to work with your state bar to obtain these credits. Many states will approve telephone/ audio programs for CLE credits; some states require proof of attendance and some require application fees. Please contact your state bar for specific requirements and submission instructions.



ATTENTION CPAs

CPAs may receive up to 2.0 hours of Continuing Professional Education (CPE) credit for participating in this telephone/webcast briefing. Please complete this Certificate of Attendance Request Form ***in its entirety***. **ICB members, who are NOT CPAs, should NOT sign this form. Instead, they should report ICB credits online; go to the Members Only Web page of ICB's Website, <http://www.icbmembers.org/login.aspx>. **To receive a CPE Certificate of Attendance for your participation, you MUST sign in and out of the session** (a sign-in/out form is attached for your convenience **and return it to ABA** . Certificates will be emailed within 6-8 weeks of receipt.**

Please Mail OR Fax the Certificate of Attendance Request Form To:

Continuing Education Manager, Institute of Certified Bankers American Bankers Association,
 1120 Connecticut Avenue NW, Ste 600, Washington, DC, 20036. FAX: (202) 828-4540.

Full Name:		
Company:		
Title:		
Address/Mail Code:		
City, State & Zip Code:		
Business Phone/Fax:	PH:	FAX:
Email Address:		
Signature:		
<p>Total Credits Earned and Fields of Study</p> <p> <input type="checkbox"/> Regulatory Ethics <input type="checkbox"/> Personnel/HR <input type="checkbox"/> Mgmt. Advisory Services <input type="checkbox"/> Business Mgmt. & Org. </p>		
<p>ABA offers many opportunities for you to earn CPE credits. May we contact you about upcoming programs that might be of interest to you? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>		



The American Bankers Association is registered with the National Association of State Boards of Accountancy (NASBA), as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue, Suite 700, Nashville, TN 37219-2417. NASBA, Web site: www.nasba.org.

2009 Update and Review of Key Compliance Issues

January 15, 2009

<http://www.aba.com/Compliance/2009ComplianceTB.htm>



Changes on the Mortgage Front

- RESPA Rule—Starts and stops
- Regulation Z—HOEPA authority changes
- HMDA—Matching up with HOEPA
- Appraisal Guidelines and Code
- Flood Q&As—Imminent



RESPA Final Rule

- Published: November 17, 2008 (73 FR 68204)
- Bifurcated Effective Dates:
 - Compliance with new Good Faith Estimate (GFE) and HUD-1 settlement statements: January 1, 2010.
 - Other provisions (Section 8, Transfer of Servicing): January 16, 2009.....but there is late breaking news

RESPA Final Rule

- Changes to Regulation
 - Improve and standardize GFE Form (up to 3 pages)
 - Summarize loan terms & settlement charges
 - More accurate estimates – “Tolerances”
 - Improve (?) disclosure of YSP
 - Improve comparison among GFE and HUD-1
 - Clarify HUD-1 Instructions

RESPA Final Rule

- Section 8 Changes
 - Expressly allow for “average cost pricing”
 - Strengthen prohibition against requiring the use of affiliated providers.
- Technical Amendments
 - Simplify Mortgage Servicing Disclosure
 - Eliminate outdated Escrow provisions
 - RESPA is subject to E-Sign

TILA Final Rule

- Published: July 30, 2008 (73 FR 44522)
- Effective Date: October 1, 2009
- Generally: Provides protections against “unfair, abusive or deceptive” lending and servicing practices.

TILA Final Rule

- Rule creates new category of “Higher Priced Mortgage Loans”
 - Defined as any mortgage with APR exceeding the “average prime offer rate” on prime loans by
 - 1.50 percentage points (1st liens)
 - 3.50 percentage points (subordinate)
 - *Same trigger applicable to HMDA “APR disclosure” requirements*
- Creditors Originating Section 32 loans must abide by all rules applicable to HPMLs.

ABA Professional Development ►



TILA Final Rule

- Creditors originating HPMLs may not—
 - Rely on collateral without consumer’s ability to repay the loan;
 - Rely on income or assets without verifying amounts through reasonably reliable 3rd party documents;
 - Impose PPP if consumer’s payment can change in the first 4 years of loan.
- HPML loans must escrow for taxes & insurance (with opportunity to cancel in 1 year)

ABA Professional Development ►



TILA Final Rule

- Prohibitions on ALL closed-end mortgage loans—
 - Creditors and brokers may not influence, coerce or encourage appraiser from misrepresenting the value of the property;
 - Servicers may not (1) fail to credit payment to accounts as of the day of the receipt of payment, or (2) fail to provide pay-off statement, or (3) pyramid late fees.

ABA Professional Development ►



TILA Final Rule

- Rule bans several misleading or deceptive advertising practices.
- Revisions require creditors to provide early disclosures within 3 business days of application, and before any fee is paid (except for credit report fees)
- Rule extends early disclosure requirements for purchase money transactions to Refinance and Home Equity Loans

ABA Professional Development ►



HMDA Final Rule

- Published: October 24, 2008 (73 FR 63329)
- Effective Date: October 1, 2009
 - Compliance is mandatory for loan applications taken on and after that date, and for loans closing on and after 1/1/2010.

HMDA Final Rule

- Lenders required to report the spread between the loan's APR and a "survey-based estimate of APRs" currently offered on prime mortgages of a comparable type ("average prime offer rate" or "APOR").
- The reporting thresholds—
 - 1.5 percentage points above APOR for 1st lien loans;
 - 3.5 percentage points above APOR for sub liens.

HMDA Final Rule

- APOR indices will be published and made public via tables through the FFIEC website.
- APOR indices will be calculated and posted on a weekly basis.
- The Board will publish rates in two tables— variable-rate and non-variable-rate loans.
- Tables will set forth APORs for 14 products (six variable rate and eight non-variable-rate loans).

ABA Professional Development ►



Appraisal Code of Conduct

- Latest Interagency Guidance
- Revised agreement between NY AG and Freddie/Fannie with OFEO blessing

ABA Professional Development ►



Flood Insurance Q & As

- On March 21, 2008, the federal bank regulatory agencies proposed Interagency Questions and Answers Regarding Flood Insurance (the Proposed Q & As).
- ABA anticipates that the final Q & As will be published by April, 2009.

ABA Professional Development ►



Flood Insurance Q & As

- ABA anticipates that the publication of the final Q & As will require banks to review and revise their flood insurance policies and procedures with respect to:
 - The definition of the term “insurable value” and the documents to be relied on to determine a building’s insurable value.
 - The flood insurance requirements for construction loans.
 - The flood insurance requirements for residential condominiums.
- ABA will hold a Telephone Briefing dedicated to the final Q & As soon after they are published.

ABA Professional Development ►



Consumer Credit: UDAP and FACTA

- UDAP and Regulation Z
- Regulation E and Regulation DD
- FACT Act
 - Red Flags
 - Direct disputes and accuracy proposal
 - Risk-based pricing notice proposal

ABA Professional Development ►



Credit Card Changes

- Bernanke: A New Baseline of Fairness
 - Practices regulated, not just disclosures
 - Changes via Interagency UDAP Rule-making
 - More to come from Congress?
- Planning Ahead: Effective date is July 1, 2010
 - Create an operations game plan
 - Anticipate changes in card agreements now?
 - Importance of card expiration dates?
 - State UDAP litigation risk during the intervening period?

ABA Professional Development ►



UDAP Credit Card Provisions

APR increases on existing balances restricted
(Addressing so-called “Universal Default”)

- Exceptions:
 1. Increases disclosed at account opening
 2. Variable rate changes
 3. 30 day delinquency
 4. Work-out arrangement
 5. Any transaction made after first year with notice
 6. Advance notice: transactions made 7 days after notice of change in terms

ABA Professional Development ►



UDAP Credit Card Provisions

Time to make payment

- Payment may not be considered late for any purpose unless consumer has had reasonable time to make payment
- Mailing or delivering statements 21 days before due date is considered reasonable
- Provision does not apply to “interest-free” period (grace period) to avoid paying interest

ABA Professional Development ►



UDAP Credit Card Provisions

Payment allocation

- When different APRs apply to different balances, amount in excess of required minimum must be applied either high to low or pro rata
- Implications for cash advance v. purchases
- Implications for balance transfer products
 - What does it mean for the business case?
 - Matching marketing and compliance changes

ABA Professional Development ►



UDAP Credit Card Provisions

Two-cycle billing prohibited

- Interest Free Periods Protected!
- One-cycle billing, or average daily balance method permitted

Limitations on credit card plans charge security deposit and fees in first year

(Credit holds proposal abandoned.)

ABA Professional Development ►



New Regulation Z Disclosures

- Applies to credit cards and *overdraft lines of credit* and other non-mortgage open-end credit plans
 1. Credit card applications
 2. Account opening disclosures
 3. Periodic statements

ABA Professional Development ►



New Regulation Z Disclosures

- Credit card applications and solicitations
 - Revised format
 - Revised content
 - Mandatory terminology
 - Minimum fonts
- Account opening disclosures:
 - Tabular summary of key terms
 - Only certain terms disclosed must be in writing

ABA Professional Development ►



New Regulation Z Disclosures

- Periodic statements:
 - Eliminates effective APR
 - Eliminates “finance charge”
 - Interest and fees must be grouped together, sum by period and year to date with heading
 - Eliminates requirement for periodic rates
 - Minimum payment warning
 - Late payment warning (fee and penalty rate)
 - Payment information grouped together

ABA Professional Development ►



New Regulation Z Disclosures

Change in Terms Notices

- 45 day advance notice of change in terms
- Tabular format
- Front of periodic statement if included in periodic statement

Payment Cut-off Time

- Creditors must set reasonable cut-off times
- 5 PM is “reasonable” cut-off time for payments received by mail.
- May back-date.

ABA Professional Development ►



Overdraft Practices Regulation

UDAP Proposal Abandoned in Favor of Reg E

- Testing recognizes value of check overdraft protection
- Testing questions consumer desire for debit overdraft
- Consumer choice and debit card technology
- **Still important to comment**
- Expect final rule mid-2009 to be effective mid-2010.

Regulation DD Addresses Disclosures

- Effective Date: JANUARY 10, 2010

ABA Professional Development ►



Final Regulation DD Changes

- Periodic statements must total OD and NSF fees and interest, by period and year to date
- Overdraft services definition as proposed: formal or informal included, linked accounts excluded
- Applies whether services are promoted or not
- Format requirements:
 - Tabular format
 - Totals must be in close proximity to fees generally required to be disclosed in periodic statements

ABA Professional Development ►



Final Regulation DD Changes

- Account balance provided through “any automated system” (including ATM, website, telephone responses) must exclude additional amounts available
- Additional balance that includes additional funds is permitted so long as it is prominently explained

Overdraft Practices Proposal

Regulation E proposal

- General requirement:
 - Give notice of consumer choice to not have overdrafts paid on ATM withdrawals and one-time debit card transactions
 - Overdraft definition excludes linked lines or accounts
- Alternative proposals:
 - opt-in or
 - opt-out

Overdraft Practices Proposal

- Conditioning opt out on opting out of checks, ACH transactions, and others (e.g. preauthorized EFTS on debit cards)
 - Alternative 1: Permit
 - Alternative 2: Prohibit

Overdraft Practices Proposal

- Proposed alternatives re ability to have different terms for accounts with overdraft and those without:
 1. Account must have same terms OR
 2. Account may have different terms or features that doesn't permit overdrafts "provided that the difference in the terms, conditions, and features for the account are not so substantial that they would discourage a reasonable consumer from exercising his or her right to opt out. . . "

Overdraft Practices Proposal

- Timing of notice:
 - For new accounts, before imposition of any NSF fee
 - For any account on which NSF fee is charged EITHER
 - On the periodic statement, close to total of NSF/OD fees
 - OR
 - In notice sent promptly after NSF fee

Overdraft Practices Proposal

- **General rule on debit holds:** No overdraft fee if overdraft occurred because of hold connected to debit card transaction if actual amount of transaction can be determined by the merchant within a short period of time after authorization
- **Safe harbor:** financial institution has procedures and processes designed to release a debit hold within a reasonable period (e.g. 2 hours)

FACT ACT

- Red Flags Exam: General update
- Agency Q&A?

Address Discrepancy Notices

- Address Discrepancy Notices
- Policies must be designed to:
 - Enable user to form reasonable belief that report relates to consumer
 - Furnish address “reasonably confirmed” as accurate if:
 - It establishes a continuing relationship
 - It regularly reports to the credit bureau

Address Discrepancy

- Pull report, though don't report (HR, checking account)
- If not feasible, not "reasonable policy"
- Pull credit score only for existing accounts
- Responsibilities?

FACT Act

- Regulation related to consumer right to dispute information in file directly with furnisher and to accuracy and integrity of information reported by furnishers
- Regulation related to risk-based pricing notice

CRA & Fair Lending

- Monitoring Modifications
 - Banks are encouraged to work with borrowers to avoid foreclosure
 - With the current economy, workouts and defaults have increased
 - Important to monitor workouts, handling of defaults, and foreclosures to ensure similarly situated borrowers are treated the same

ABA Professional Development ►



CRA & Fair Lending

- New Opportunities
 - Outreach to help borrowers avoid foreclosure or modify loans: "Financial institutions may receive favorable Community Reinvestment Act (CRA) consideration for programs that transition low and moderate income borrowers from higher cost loans to lower cost loans, provided the loans are made in a safe and sound manner." (Interagency Press Release 4/17/07)
 - New Q&A

ABA Professional Development ►



CRA & Fair Lending

- January 6, 2009 – Updated Q&A Guidance
 - Nine new Q&As added (as proposed in July 2007)
 - 14 other Q&As substantially revised
 - One proposed Q&A withdrawn
 - One still pending

CRA & Fair Lending

- New Guidance
 - Clarifies that investments in minority- or women-owned financial institutions do not need to benefit the investing bank's assessment area to receive favorable CRA treatment
 - Clarifies that intermediate small banks may have their affordable home mortgage, small business and small farm loans evaluated as community development loans at the bank's option

CRA & Fair Lending

- New Guidance
 - Consolidates all data appropriate as “other loan data” in one location
 - Clarifies that purchase of a loan participation is treated as a purchase (reporting only the portion purchased)
 - Clarifies that a lien on a one-to-four family business taken in an abundance of caution should be reported as a small business loan and not a residential loan

ABA Professional Development ►



SCRA

- Servicemembers Civil Relief Act
 - Protects members of the military during active duty
 - Amended by the Housing and Economic Recovery Act of 2008, effective July 30, 2008
 - Extends time periods SCRA protections apply, including the 6% interest rate cap
 - Additional guidance anticipated 2009—Interagency Exam Procedures in the works.

ABA Professional Development ►



Questions

UIGEA Final Rule

What you need to know about the Final Rule:

- Effective Date: January 19, 2009
- Mandatory Compliance Date: December 1, 2009
- It requires the creation of policies and procedures reasonably designed to block prohibited transactions.
- FIs must take additional due diligence steps during the account opening process to deny unlawful Internet casinos access to the payments system.
- FIs issuing debit and credit cards can rely on the card networks blocking programs.
- No monitoring of customer transactions is required.

UIGEA Final Rule

Account Opening:

- Determine if the applicant is a commercial customer. If not, no further action required.
- Determine if there is a “minimal risk” that the applicant is an Internet casino operator.
- If not a minimal risk, have the customer certify they are not a casino operator.
- If the customer is an Internet casino operator they must provide proof of their legal authorization.

UIGEA Final Rule

Debit and Credit Card Obligations:

- Policies and procedures must be created to prevent prohibited debit and credit card transactions.
- Financial institutions can rely on the written card network policies and procedures and do not need to create their own or verify the efficacy of the network program.
- Financial institutions should contact the entity that they have a relationship with (Visa, MasterCard, American Express, Discover, etc...) to receive a written copy of the procedures to incorporate into their own policies and procedures.

UIGEA Final Rule

Requirements for existing customers:

- No retroactive due diligence required.
- FIs must provide notice to existing commercial customers that “restricted transactions” are prohibited.
- UIGEA does NOT preempt any other requirements (SARs) if you identify suspicious activity.

International ACH Transactions

What you need to know about the NACHA Rule:

- Effective Date: **September 18, 2009**
- Every FI must be able to receive IAT transactions.
- FIs can decide whether or not to originate IAT transactions.
- FIs will need to update their ACH system, educate their customers, and revise their ACH and OFAC policies.

ADApT your systems and controls to prepare for IAT implementation

- See ABA preparedness guidance on support page

IAT Rule

What is the IAT Rule?:

- Eliminates the ACH Standard Entry Class Codes PRB (Consumer crossborder) and CBR (corporate crossborder) and replaces them with the single IAT Code.
- Requires that "Travel Rule" information accompany the transaction.
- Calls for additional fields/addenda in the message.

ABA Professional Development ►



IAT Rule

- All FIs needs to be able to receive IATs.
- All IATs must be screened against OFAC list.
- All "hits" must be reviewed appropriately before the payment is processed.
- Incoming payments received by the FRB acting as a gateway will be screened, but passed along to the FI without stopping. The FRB will be informing the receiving bank and OFAC of the hits.
- All FIs that choose to originate IAT payments must receive the additional travel information from the corporate originator

ABA Professional Development ►



IAT Rule

Quick Checklist

1. Learn the IAT Rule and OFAC implications.
2. Train your staff.
3. Develop an education plan for customers originating IATs.
4. Verify your core processor is working to meet the deadline.
5. Review downstream applications for ability to accept new format and OFAC screening requirements.
6. Review and revise ACH agreements.
7. Revise written ACH and OFAC policies.
8. Test, Test, Test the system.

ABA Professional Development ►



BSA Implications for IAT

- Issues to consider in 2009:
 - Whether a bank's OFAC compliance program for IATs may be tailored to fit its risk assessment.
 - What are a bank's obligations to ensure that ACH originators are in compliance with the requirements?
 - Will banks be required to document false positives reported to OFAC by a gateway operator and show how false positives were resolved?
 - How to comply with the BSA's 5-year document retention requirements.

ABA Professional Development ►



BSA Implications for IAT

- Anticipated consequences of inclusion of the “travel rule” information on IATs:
 - Obligation for suspicious activity monitoring and reporting? If so, there will be a corresponding need to:
 - Revise BSA/AML policies and procedures
 - Ensure that BSA/AML monitoring and SAR reporting systems track the new information
 - Expand independent BSA audits and the BSA/AML risk assessment to encompass IATs

CTR Exemptions

- On December 4, 2008 FinCEN adopted a final rule to allow depository institutions to exempt the transactions of certain customers from currency transaction reporting requirements.
- The revised CTR exemption rule became effective on January 5, 2009.

CTR Exemptions

Changes that are in effect now!

- Banks no longer need to file a designation of exempt person form (form 110) or to annually review certain Phase I customers, banks, U.S. or state governments, of entities acting with governmental authority.
- Form 110 and the annual review remains for “listed” Phase I customers.
- Phase II customers may be exempted after two months or after conducting a risk-based analysis.
- A biennial review of Phase II customers is eliminated but the annual review and certification is retained.
- The definition of “frequent” transactions is five reportable transactions per year.

ABA Professional Development ►



CTR Exemptions

Ambiguities of the new rule –

- Although banks may exempt an eligible Phase II customer after conducting a risk assessment, the final rule fails to adequately describe the nature of the risk assessment or how it must be documented.
- Language in the final rule states that the risk based analysis “should be read as a separate, specific rule of paragraph (d) and is not meant to supersede the operating rules of existing 31 CFR §103.22(d)(6)(i)” which require a bank to “take such steps to assure itself that a person is an exempt person...to document the basis for its conclusions, and document its compliance with the terms of this paragraph (d). Does FinCEN intend to require two separate files? Additionally, further guidance is necessary to clearly define for banks and bank examiners what will constitute adequate documentation.

ABA Professional Development ►



CTR Exemptions

Implications for 2009 –

- Bank management should to consider whether to change the bank's exemption policy.
- BSA policies and procedures must be amended to reflect the new rule and management decisions on exemption.
- BSA and branch staff will need training.
- Watch for ABA efforts to request that FinCEN and the FFIEC provide greater clarity to financial institutions and bank examiners about the existing ambiguities in the rule.

Other BSA Developments

- New MSB Examination Manual
 - Issued December 2008
 - Resource for MSBs
- New chapter in the Code of Federal Regulations
 - Comments open until March 30, 2009

Changes to FDIC Deposit Insurance

Permanent Changes—Already in Place

- Revocable Trust Coverage
- Mortgage Servicing Accounts

Changes to FDIC Deposit Insurance

Temporary Changes—December 2009

- Increase in deposit insurance coverage amount to \$250,000
- FDIC Temporary Liquidity Guarantee Program
- Non-Interest Bearing Transaction Accounts

Changes to FDIC Deposit Insurance

Temporary Changes

- Accounts covered by TLGP guarantee
- Treatment of Accounts with Sweep Features

For more details, go to

http://www.aba.com/Members+Only/Regulatory/cl_FDIC.htm

ABA Professional Development ►



ADA and ATMs

- On June 17, 2008, the Department of Justice issued a Notice of Proposed Rulemaking (NPR) in order to adopt enforceable accessibility standards in places of public accommodation under the Americans with Disabilities Act.
 - The NPR excludes existing ATMs from the safe harbor provided in the regulation.
 - The NPR proposed a 6-month compliance deadline.

ABA Professional Development ►



ADA and ATMs

- ABA comment letter:
 - Urged the DOJ to extend safe harbor to existing ATMs that are in compliance with the 1991 accessibility guidelines.
 - Suggested a 2-year compliance date.

ADA and ATMs

- October 31, 2008 the DOJ sent the final rule to OMB for review.
- OMB reportedly accepted the final rule on December 16, 2008.
- ABA anticipates publication of the final rule in the Federal Register at any time.

ADA and ATMs

Implications for 2009 –

- An ATM accessibility review should be a priority in your bank's IT Strategic Plan.
 - Determine whether existing ATMs are compliant with the 1991 or the 1994 guidelines (copies of the relevant portions of both guidelines have been included with the Telephone Briefing materials).

Note: if an ATM has text to speech capabilities, make sure that the implementing software is in place and that it communicates with the ATM network provider's system.
 - Consider including an ATM upgrade and/or replacement schedule in your bank's IT Strategic plan.

ABA Professional Development ►



Debt Collection

- Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692 et seq., was enacted in 1977 to curb abuses by largely unregulated third-party debt collectors.
- FDCPA definition of "debt collector"
 - Excludes a creditor attempting to collect its own debt
 - Excludes mortgage servicers

ABA Professional Development ►



Debt Collection

2007 FTC workshop on debt collection practices

- Prompted by the FTC's reported receipt of 70,000 complaints by consumers about debt collection practices
- FTC report and recommendations anticipated early 2009

2008 – 2009 GAO investigation of debt collection practices requested by the Senate Permanent Subcommittee (PSI) on Investigations

- PSI staff inquiry about amending the FDCPA to include issuer banks within the definition of a debt collector



Debt Collection

ABA debt collection working group

- Effort by ABA and representatives of the debt buyer industry to address FTC and Congressional concerns
- Ongoing effort to discourage the amendment of the FDCPA's definition of a debt collector



Debt Collection

Implications for 2009 –

- The deteriorating economy, increasing rates of delinquency, and a democratic agenda promise to keep debt collection issues at the forefront of legislative and regulatory activity.
- Large and small banks should:
 - Watch for ABA alerts about proposed FDCPA amendments and/or legislative and regulatory proposals to regulate debt collection.
 - Monitor bank debt collection practices

ABA Professional Development ►



Questions and Staff Discussion

Find Additional Support at
<http://www.aba.com/Compliance/2009ComplianceTB.htm>

ABA Professional Development ►



G-17(D) Account-Opening Sample (Line of Credit)

Interest Rate and Interest Charges

APR for Cash Advances

18.00%.

Minimum Interest Charge

If you are charged interest, the charge will be no less than \$1.50.

Paying Interest

You will be charged interest from the transaction date.

Fees

Annual Fee

\$20

Penalty Fees

\$10

Late Payment

\$29

Over-the-Credit Limit

A-9 Model Consent Form for Overdraft Services

EXPLANATION OF OVERDRAFT COVERAGE

Your Right to Request Overdraft Coverage

We will not pay your overdrafts for ATM withdrawals and debit card purchases you make at a store, online, or by telephone, unless you tell us you want overdraft coverage for these transactions.

Even if you do not request overdraft coverage for ATM withdrawals and debit card purchases, we may still pay your overdrafts for other types of transactions, including checks.

Having overdraft coverage does not guarantee that we will pay your overdrafts. If we decide to pay an overdraft, you will be charged fees as described below.

Overdraft coverage differs from other overdraft services we offer, such as linking your account to another account with us or an overdraft line of credit. See below for more information, including how to contact us if you want overdraft coverage to apply to your ATM withdrawals and debit card purchases.

Overdraft Fees

We will charge you a fee of [up to] [\$__] each time we pay an overdraft.

We will also charge you a fee of [\$__] for each day your account remains overdrawn.

[There is no limit on the daily fees we can charge you for overdrawing your account.]

Other Ways We Can Cover Your Overdrafts

We offer other ways of covering your overdrafts that may be less expensive, such as linking your account to another account with us or an overdraft line of credit. Contact us to learn more about these options.

How to Request Overdraft Coverage or Get More Information

To request overdraft coverage for your ATM withdrawals and debit card purchases, or for information about other alternatives we offer for covering overdrafts, please:

Contact us at 1-8xx-xxx-xxxx.

Contact us at [insert Internet address].

Complete the form below and mail it to [insert address].

___ I want overdraft coverage for my ATM withdrawals and debit card purchases.

Printed Name: _____

Date: _____

Account Number: _____

A-9(A) Model Opt-Out Form for Account Opening

EXPLANATION OF OVERDRAFT COVERAGE

Overview of Coverage

We currently provide overdraft coverage for your account. This means that if you attempt to spend or withdraw more money than you have in your account, we may decide to pay the overdrawn amount. Having overdraft coverage does not guarantee that we will pay your overdrafts. If we do, we will charge you fees. This coverage differs from other overdraft services we offer, such as linking your account to another account with us or an overdraft line of credit.

Your Right to Opt Out of Overdraft Coverage

You may tell us not to pay overdrafts for ATM withdrawals and debit card purchases you make at a store, online, or by telephone. [If you do, we will decline these transactions if you do not have enough money in your account to cover them.] As a result, you may pay fewer overdraft fees.

Your decision to opt out will not affect whether we pay overdrafts for other types of transactions, including checks. We may still cover these transactions and charge you a fee. See below for more information about your overdraft coverage, including how to contact us to opt out.

Overdraft Fees

We will charge you a fee of [up to] [\$_] each time that we pay an overdraft.

We will also charge you a fee of [\$_] for each day your account remains overdrawn.

[There is no limit on the daily fees we can charge you for overdrawing your account.]

Other Ways We Can Cover Your Overdrafts

We offer other ways of covering your overdrafts that may be less expensive, such as linking your account to another account with us or an overdraft line of credit. Contact us to learn more about these options.

How to Opt Out or Get More Information

To opt out of our overdraft coverage, or for information about alternatives we offer for covering overdrafts, please: [include as applicable]

Contact us at 1-8xx-xxx-xxxx.

Contact us at [insert Internet address].

Complete the form below and mail it to [insert address].

___ I do not want overdraft coverage for my ATM withdrawals and debit card purchases.

Printed Name: _____

Date: _____

Account Number: _____

A-9(B) Model Opt-Out Form for Periodic Statements

You have the right to tell us not to pay overdrafts for ATM withdrawals and debit card purchases you make at a store, online, or by telephone. [If you do, we will decline these transactions if you do not have enough money in your account to cover them.] As a result, you may pay fewer overdraft fees.

To opt out of our overdraft coverage, or for information about alternatives we offer for covering overdrafts (including linking this account to another account with us), contact us at 1-8xx-xxx-xxxx or [insert Internet address].

APPENDIX B
FORM B-10

Total For This Period	Total Year-to- Date		
Total Overdraft Fees		\$60.00	\$150.00
Total Returned Item Fees		\$0.00	\$30.00



Thank you for your feedback. This form is electronically tallied. Please mark only one selection for each question, unless otherwise noted. **Do not** mark outside the boxes. If you prefer to submit your evaluation online, please go to <http://eval.krm.com/eval.asp?id=14835>

Scale Definition:	E = Excellent	VG = Very Good	G = Good	F = Fair	P = Poor
--------------------------	----------------------	-----------------------	-----------------	-----------------	-----------------

1. Rate the following aspects of this telephone briefing. **(Check one for each row)**

	E	VG	G	F	P
a. Depth of the topic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Usefulness of information for your job function	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. All advertised topics addressed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Participant's Guide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Ease of registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Audio quality of program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Rate the **effectiveness** of each speaker for this telephone briefing. **(Check one for each row)**

a. Speaker's presentation content	E	VG	G	F	P
Rod Alba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nessa Feddis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Kenneally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cris Naser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ginny O'Neill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Rowe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. **Speaker's presentation skills**

Rod Alba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nessa Feddis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Kenneally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cris Naser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ginny O'Neill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Rowe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Speaker's knowledge of the subject matter

Rod Alba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nessa Feddis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Kenneally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cris Naser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ginny O'Neill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Rowe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Speaker's responses during Q&A segments

Rod Alba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nessa Feddis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Kenneally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cris Naser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ginny O'Neill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Rowe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Overall rating of telephone briefing **E** **VG** **G** **F** **P**

4. Please indicate your bank's asset size **(Check one)**

- < \$300 million \$300 million - \$1 billion \$1 billion - \$10 billion > \$10 billion Non-Bank

5. Which of the following best describes your job position (Check one)

- Executive Management Senior Management Middle Management Other Staff

6. Please indicate your primary area of functional responsibility **(Check all that apply)**

- Audit E-Commerce/Technology Operations Trust
 Bank Management Lending Retail Wealth
 Compliance Marketing/Sales Risk Management Other

7. What is your title? _____

8. Any additional comments or suggestions?



ABA Telephone Briefing -- CD Order Form

*An ABA Telephone Briefing Service
 ABA Center for Regulatory Compliance*

- **Richard Riese**, Senior Vice President
- **Rod Alba**, Vice President & Senior Regulatory Counsel
- **Nessa Feddis**, Vice President & Senior Counsel
- **Steve Kenneally**, Vice President
- **Virginia O’Neill**, Senior Counsel.
- **Cristeena Naser**, Senior Counsel
- **Robert Rowe**, Vice President and Senior Counsel

Ordering Information for CDs and Participant’s Package

Update and Review of Key Compliance Issues Seminar #: 14835					
CD and Participant’s Package			Special Discount for Seminar Participants ONLY		
	Quantity	TOTAL		Quantity	TOTAL
ABA Member/Service Member \$255.00 each			ABA Member/Service Member \$127.50 each		
Non-Member \$385.00 each			Non-Member \$192.50 each		

PAYMENT METHOD:

All CD orders must be prepaid in US dollars. Please check your payment option:

Visa MasterCard American Express/Optima Discover

Check – Make payable to **KRM**. (*Services provided to ABA by KRM Information Services, Inc.*)

Card #: _____ Expiration Date: _____

Signature: _____

PLEASE SHIP TO: CDs cannot be shipped to a P.O. Box.

Name _____

Title _____ Institution _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone Number _____ Email Address _____

3 WAYS TO ORDER:

Mail:
KRM Information Services, Inc.
 P.O. Box 1187
 Eau Claire, WI 54702

Fax:
 1-800-676-0734

Phone:
KRM Customer Service Dept.
 1-800-775-7654



Professional Development ▶

Leading banking knowledge. Leading bank performance.



ABA RISK MANAGEMENT FORUM

THE COMPLETE RISK MANAGEMENT TOOL.

At the ABA Risk Management Forum, you'll find everything you need to survive in today's risk-filled financial world — all in one place. With sessions targeted to operational, technological, and physical risks, it's like three risk events in one! Make the educational investment that will continue to come in handy all year.

Register today at www.aba.com/Events/RiskManagement or call 1-800-BANKERS.

1-800-BANKERS
www.aba.com

April 22–24, 2009
Hyatt Regency Savannah, Savannah, Georgia





ABA RISK MANAGEMENT FORUM

Register Online or
By Phone Today!

Online:
[www.aba.com/Events/
RiskManagement](http://www.aba.com/Events/RiskManagement)

Phone:
1-800-BANKERS

April 22–24, 2009
Hyatt Regency Savannah, Savannah, Georgia

Essential Tools You Need to Manage Risk Exposure In Today's New Operating Environment.

Increasing Risks. Dwindling resources. Mounting pressure and new expectations from shareholders and regulators. Detecting and effectively managing your risk exposure is critical to ensure your financial institution's growth.

Attend The **ABA Risk Management Forum** for new solutions to address all your critical risk issues in **operational risk management, data security, physical security, and technology and operations**. This new event combines the content from several of ABA's top risk management events into one expanded, comprehensive forum – delivering real world value and cost savings.

Designed specifically for financial services, the program features total of 37 concurrent sessions concentrated into four separate tracks: **operational risk management (with separate sessions by bank asset size), data security, physical security, and technology and operations**. Plus, you'll share best practices with your colleagues in banker roundtables, and see the latest risk products and services demonstrated in **the Marketplace**.

It's your best and **perhaps your only opportunity to benefit from the experiences of your peers and determine what you need to meet all of your risk management responsibilities.**

WHY YOU SHOULD ATTEND:

- **Education specifically for financial services.**
- **Relationship Building** including peer group banker roundtables, and other opportunities to help you create a year-round community with which to share best practices.
- **Real World Value. Real Cost Savings.** Take advantage of multiple education tracks. The Forum covers many topics that impact your position and responsibilities – all at one event.

WHO SHOULD ATTEND:

- CROs, CIOs, CTOs, CFOs
- Operational Risk Managers
- Operations, Technology and Security Managers
- Security Officers
- Executive Heads of Retail and Bank Operations

REGISTRATION FEES

ABA Members: \$1,090 **Team Discount: \$990** *(for each additional person from the same organization)*
Non-Members: \$1,585

Visit www.aba.com/Events/RiskManagement to view the program schedule and register today!

Leading banking
knowledge.

Leading bank
performance.



QUALITY COMPLIANCE TRAINING — ANOTHER GREAT BENEFIT OF ABA MEMBERSHIP

Imagine being able to manage the required compliance training for your entire frontline staff, with no cost to your bank. As an ABA member bank, you can realize significant savings and know your people are trained with quality content from the industry's most respected professional development leader.

Our best-in-class frontline compliance training helps ensure your bank's ability to remain in compliance and mitigate regulatory risk.

Training and reporting all in one

As a benefit of your ABA membership, you receive access to more than 70 free compliance courses designed for five frontline job functions on the ABA Knowledge Center, ABA's Learning Management System (LMS).

Free compliance courses are available for these job functions:

- Call Center Representatives
- Consumer Lenders
- Customer Service Representatives
- Personal Bankers
- Tellers

With the ABA Knowledge Center serving as your centralized learning management tool, you can:

- Enroll and monitor any number of students
- Track each employee's participation and progress for all online courses
- Generate reports to meet regulatory needs at any time.

The ABA Knowledge Center's robust functionality and ease of use simplify your preparation for regulator visits and audits. It's the logical choice for delivering training across your entire bank.

Your staff learns from a trusted leader

ABA has a 130-plus-year history of providing financial institutions of all sizes the training they need to compete and succeed. Who better to train your staff in the job-specific details of today's complex compliance environment?

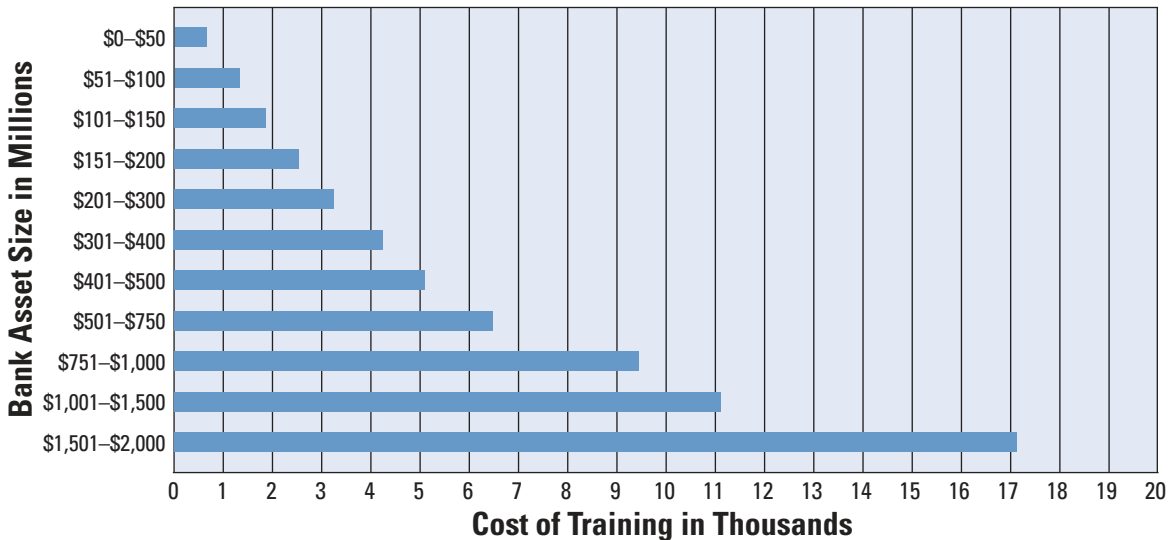
Among the features that make ABA's frontline compliance solution better are:

- Overviews for bank managers, as well as programs tailored to each of the job functions
- Our unique Compliance Training Roadmap for Frontline Personnel
- The full range of bank regulations covered in more than 70 courses
- Current, accurate information from the industry's compliance resource leader
- No cost to your bank.

If you are paying for online compliance training, you're paying too much

Bank leaders know it. Research proves it. Compliance training for your employees is expensive and time consuming. In a recent ABA survey, over 50% of compliance professionals indicated they expect to spend more in compliance training compared to last year. ABA's Frontline Compliance Training can eliminate one of your training costs.

AVERAGE COMPLIANCE TRAINING COSTS



Average compliance training costs are based on the average number of employees for each asset category found in March 2008 FDIC statistical data. The total cost is calculated by multiplying the average employee number by ABA's cost per non-member student.

The full range of bank regulations

ABA Frontline Compliance Training provides more than 70 courses that cover the complete range of regulations, many tailored to specific job functions, and is continually updated to address new regulations:

- Americans with Disabilities Act (ADA)
- Bank Bribery Act
- Bank Protection Act
- Bank Secrecy Act (BSA)
- Community Reinvestment Act (CRA)
- Electronic Funds Transfer Act – Reg E
- Equal Credit Opportunity Act – Reg B
- Expediting Funds Availability Act – Reg CC
- Extending Credit to Bank Insiders – Reg O
- Fair Credit Reporting Act (FCRA)
- Fair Housing Act
- Fair Lending Act
- FDIC Deposit Insurance
- Home Mortgage Disclosure Act (HMDA)
- Office of Foreign Assets Control (OFAC)
- Privacy for Customer Contact Personnel
- Real Estate Settlement Procedures Act (RESPA)
- Servicemembers Civil Relief Act
- Truth in Lending Act – Reg Z
- Truth in Savings Act – Reg DD
- USA PATRIOT Act

Get the full value of your ABA membership. Visit www.abafrontline.com or call 1-800-BANKERS for more information on ABA Frontline Compliance Training.

“State Bank of Countryside saved about \$11,000 by choosing ABA Frontline Compliance training. But it’s not just about saving money — I need to know my staff is getting thorough training. I know that is happening with ABA.”

— Thomas Boyle
President and CEO
State Bank of Countryside

More than just compliance

Unlike other training providers, ABA Professional Development provides superior training in all the key areas of banking, including:

- Basic Banking Knowledge
- Fundamental Business Skills
- Lending
- Management and Leadership
- Retail and Business Banking
- Small Business Banking
- Wealth Management and Trust

Enroll in three easy steps:

1. Go to www.abafrontline.com and complete the license agreement and contact information form.
2. Fax them both to **202-663-5343**.
3. ABA will contact you within 72 hours to get you started.

Or you can call **1-800-BANKERS** for more information on ABA Frontline Compliance Training.

Visit www.abafrontline.com or call **1-800-BANKERS** for more information.

1-800-BANKERS
www.aba.com

ABA Professional Development 

© Copyright 2008 American Bankers Association
RM.FC0.11.08

